



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Isiah Leggett  
County Executive

Lisa Feldt  
Director

MEMORANDUM

May 10, 2017

TO: D. Lee Currey, Acting Director, Water Management Administration  
Maryland Department of the Environment

FROM: George Dizelos, Environmental Planner, Water and Wastewater Policy Group  
Department of Environmental Protection

SUBJECT: Approval of Comprehensive Water and Sewer Plan Category Map Amendments

This is to notify you that the Director of the Department of Environmental Protection (DEP) has acted to grant approval for amendments to the County's Comprehensive Water Supply and Sewerage Systems Plan (CWSP) under the authority delegated by the County Council in that plan. Attached for your consideration and distribution are copies of the approval documents addressing the following map amendments:

Action (Date)	Amendments Approved
AD 2017-1 (4/6/17)	WSSCR 17-TRV-03A

You may also review and download these documents from DEP's Service Area Category Changes webpage at [www.montgomerycountymd.gov/waterworks](http://www.montgomerycountymd.gov/waterworks); refer to the "Completed Actions" heading on that page.

Once MDE has concurred with these actions, DEP will revise the water and sewer category map database in the County's geographic information system (GIS), MC:MAPS, to include these amendments, and they will be shown as part of the next Water and Sewer Category Map update.

If you have any questions concerning these actions, please do not hesitate to contact me at either 240-777-7755 or [george.dizelos@montgomerycountymd.gov](mailto:george.dizelos@montgomerycountymd.gov).

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cc: "DISTRIBUTION" Section of the Approval Documents (w/o attachment)

Attachments



## MONTGOMERY COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION

### Comprehensive Water Supply and Sewerage Systems Plan Amendments Administrative Delegation Action 2017-1 Water/Sewer Service Area Category Change Requests

#### CHRONOLOGY

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Interagency Notices of Public Hearing:	February 3, 2017
Published Notice of Public Hearing:	February 23, 2017
Public Hearing:	March 8, 2017
Public Hearing Record Closed:	March 15, 2017
DEP Administrative Approval Action:	April 6, 2017

#### BACKGROUND

**Authority:** Under the Annotated Code of Maryland, Section 9-501, *et seq.*, the Maryland Department of the Environment (MDE) has charged the Montgomery County Council, as the governing body for Montgomery County, with adopting and amending a comprehensive plan for the provision of adequate water supply and sewerage systems within the county. As part of the staging element of *Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan (CWSP)*, the Council has designated water and sewer service area categories for all properties within the county. Requests to change the water and/or sewer service area categories designated in the Plan constitute proposed amendments to that Plan.

In the adopted CWSP, the County Council has delegated to the Director of the Department of Environmental Protection (DEP), through an administrative process, the authority to approve certain amendments to the Plan, including water and sewer category changes. To qualify for administrative consideration, Plan amendments must satisfy the specific requirements of the policies established by the Council in the CWSP, Chapter 1, Section V.F. Administrative Delegation.

**Proposed Plan Amendments:** DEP staff considered one proposed amendment for restricted approval by the administrative delegation process. The amendment was for a service area category change. The proposed amendment was reviewed by the following agencies, as appropriate: the Washington Suburban Sanitary Commission (WSSC), the Maryland - National Park and Planning Commission (M-NCPPC), and the Montgomery County Department of Permitting Services (DPS) - Well and Septic Section. The amendment was also referred to the County Council-members for their review and concurrence.

#### PUBLIC HEARING PROCESS

**Public Hearing Notification:** In accordance with State regulations, on February 3, 2017, DEP notified the appropriate County and State agencies of an administrative public hearing, scheduled for March 8, 2017, and provided the staff recommendations for the proposed amendment. The County provided a published notice of the administrative hearing on February 23, 2017, in *The Sentinel*, a newspaper of general, local circulation, satisfying the State's notification requirements. This notice provided a link to the DEP website on which all pertinent documents were placed prior to that date. DEP also provided a mailed or e-mailed notice for both hearings to the following: each property owner/applicant, local civic association leaders, attorneys or engineers (as requested by the property owner), and adjacent and confronting property owners.

**Public Hearing Testimony and Interagency Recommendations:** On behalf of DEP's Director Lisa Feldt, DEP senior planner Alan Soukup presided over the public hearing held on March 8, 2017, on the amendment proposed for administrative approval. Mr. Soukup, opened the public hearing at 2:00 p.m. There were no participants present during the public hearing. Neither was any written testimony provided in opposition to the staff recommendations.

On February 21, 2017, Keith Levchenko, senior legislative analyst on the Council's staff notified DEP that the Council members concurred with the approvals recommended for this administrative action.

On February 23, 2017, the Planning Board met to consider M-NCPPC staff recommendations for the amendment included in the AD 2017-1 administrative delegation packet. The Board concurred with the M-NCPPC staff recommendation for the included amendment, which agrees with DEP's staff recommendation. DEP received formal notification of the Board's action in a letter dated February 23, 2017.



## DEP ADMINISTRATIVE ACTION

The 2003 water/sewer category map update of the *Montgomery County Comprehensive Water Supply and Sewerage Systems Plan* is hereby amended as follows:

### Travilah Planning Area

#### WSSCR 17-TRV-03A: Jingen Liu

Property Information and Location Property Development	Applicant's Request: Administrative Action and Policy Justification						
<ul style="list-style-type: none"><li>• 11801 Stoney Creek Rd., Potomac</li><li>• Parcel P493, Beall Mount Big Pines (acct. no. 00388933)</li><li>• Map tile: WSSC – 215NW12; MD – EQ52</li><li>• East side of Stoney Creek Rd, south of the intersection of Stoney Creek Way.</li><li>• RE-2 Zone; 5.0 acres</li><li>• Travilah Planning Area</li><li>• Potomac Subregion Master Plan (2002)</li><li>• Watts Branch Watershed (MDE Use I)</li><li>• <u>Existing use</u>: improved, single-family house (built 1959)</li><li>• <u>Proposed use</u>: sewer service for a replacement single-family house</li></ul>	<p>Service Area Categories:</p> <table><tr><th>Existing</th><th>Requested</th></tr><tr><td>W-1</td><td>W-1 (no change requested)</td></tr><tr><td>S-6</td><td><b>S-1</b></td></tr></table> <p>Administrative Action</p> <p><b>Approve S-1.</b> Administrative policy Section II.E.3.a.: Community Service for Properties Abutting Existing Mains, restricted to a single hookup. (Mapping on pg. 5.)</p>	Existing	Requested	W-1	W-1 (no change requested)	S-6	<b>S-1</b>
Existing	Requested						
W-1	W-1 (no change requested)						
S-6	<b>S-1</b>						
<p><i>DEP Note: On Oct. 14, 2016, DEP issued a request to WSSC to provide public sewer service to this property, designated as category S-6, under the authority of the County's "abutting mains" service policy. The abutting mains policy allows such an action in advance of a category change approval in cases where the policy's requirements are clearly satisfied.</i></p>							

Now therefore be it resolved by the Director of the Montgomery County Department of Environmental Protection that the amendment described above for inclusion in the County's *Comprehensive Water Supply and Sewerage Systems Plan* is approved. DEP will revise the water and sewer category maps in the County's geographic information system (GIS) database to include this amendment, and it will be shown as part of the next interim or triennial service area map update.

Approved



Lisa Feldt, Director

4/6/2017  
Date

Montgomery County Department of Environmental Protection

## **NOTIFICATION OF DEP ACTION**

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DEP will submit notification of the Director's action to MDE for that agency's review. MDE has 90 days to comment on the administrative approvals granted. DEP will also notify each applicant, appropriate county government agencies, and other interested parties of the Director's action. A list of agencies that will receive a copy of this summary of action follows:

### Distribution: Interagency

D. Lee Currey, Acting Director, Water Mgt. Admin., MDE  
Roger Berliner, Montgomery County Council  
Keith Levchenko, Montgomery County Council  
Diane Schwartz-Jones, Director, DPS  
Gene von Gunten, Well & Septic Section, DPS  
Casey Anderson, Planning Board  
Richard Weaver & Katherine Nelson, Area 3 Planning Team, M-NCPPC  
Pam Dunn, Functional Planning Team, M-NCPPC  
Mark Pfefferle & Cathy Conlon, Development Applications and Regulatory Coord. Team, M-NCPPC  
Geoffrey Mason, Parks Planning Div., M-NCPPC  
Carla Reid, General Manager, WSSC  
Ray Chicca, Beth Kilbourne, & Rufus Leeth, Development Services Group, WSSC  
Luis Tapia, Permit Services Section, WSSC  
Eintou Karima, Assessments Group, WSSC

### Distribution: Property Owners /Other Interested Parties/Public Interest Groups

17-TRV-03A ..... Jingen Liu  
..... Phillip Long, CAS Engineering

Audubon Naturalist Society  
Glen Hills Community Coalition  
The Glen Preservation Foundation  
Potomac Highlands Civic Association  
West Montgomery County Citizens' Association

### Attachments

Service Area Category Designations (see page 5)  
Amendment Service Area Category Mapping (see page 6)

GJD:gjd/

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### WATER/SEWER SERVICE AREA CATEGORIES INFORMATION

The Montgomery County Ten-Year Comprehensive Water Supply and Sewerage Systems Plan designates water and sewer service area categories for each property within the county. These service area categories determine a property's eligibility to receive public water and/or sewer service and indicate when the County and the sanitary utility (usually the Washington Suburban Sanitary Commission (WSSC)) should program water and sewerage facilities to serve those properties. (Although the actual provision of public service is often dependent on an applicant's own development schedule.) The Water and Sewer Plan is adopted and amended by the County Council; it is administered by the County Executive through the Department of Environmental Protection (DEP).

**Water and Sewer Service Area Categories Table**

Service Area Categories	Category Definition and General Description	Service Comments
W-1 and S-1	Areas served by community (public) systems which are either existing or under construction. • This may include properties or areas for which community system mains are not immediately available or which have not yet connected to existing community service.	Properties designated as categories 1 and 3 are eligible for to receive public water and/or sewer service.  New development and properties needing the replacement of existing wells or septic systems are generally required to use public service. Properties with wells or septic systems on interim permits are required to connect to public service within one year of its availability.
W-2 and S-2	<b><i>Categories W-2 and S-2 are not used in the Montgomery County Water and Sewer Plan.</i></b> (State's definition: Areas served by extensions of existing community and multi-use systems which are in the final planning stages.)	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for mains abutting these properties unless the property has a functioning well and/or septic system. WSSC provides public water and sewer service throughout the county, except where service is provided by systems owned by the City of Rockville or the Town of Poolesville.
W-3 and S-3	Areas where improvements to or construction of new community systems will be given immediate priority and service will generally be provided within two years or as development and requests for community service are planned and scheduled.	WSSC will not serve properties designated as categories 4 or 5, but will work to program water and/or sewer projects needed to serve these areas. Permits for new wells and/or septic systems for category 4 properties will be interim permits. (See above for further information.) MCDEP may require that development proceeding on interim wells and septic systems in category 4 areas also provide dry water and sewer mains and connections.
W-4 and S-4	Areas where improvements to or construction of new community systems will be programmed for the three- through six-year period. • This includes areas generally requiring the approval of CIP projects before service can be provided.	Where water and/or sewer mains are financed under the front foot benefit system, WSSC will assess front foot benefit charges for abutting properties designated as category 4 unless the property has a functioning well and/or septic system. WSSC will not assess front foot charges for properties designated as category 5.
W-5 and S-5	Areas where improvements to or construction of new community systems are planned for the seven- through ten-year period. • This category is frequently used to identify areas where land use plans recommend future service staged beyond the scope of the six-year CIP planning period.	WSSC will neither provide service to nor assess front foot benefit charges for properties designated as category 6. Development in category 6 areas is expected to use private, on-site systems, such as wells and septic systems.
W-6 and S-6	Areas where there is no planned community service either within the ten-year scope of this plan or beyond that time period. This includes all areas not designated as categories 1 through 5. • Category 6 includes areas that are planned or staged for community service beyond the scope of the plan's ten-year planning period, and areas that are not ever expected for community service on the basis of adopted plans.	

Please note that the County does not necessarily assign water and sewer categories in tandem (i.e. W-3 and S-3, or W-5 and S-5), due to differences in water and sewer service policies or to actual water or sewer service availability. Therefore, it is important to know *both* the water *and* sewer service area categories for a property.



